IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

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WRIT RESTORATION No. 28 of 2006

SATYA DEV CHOUHAN
V/S
MARWAR GRAMIN BANK,PALI & ORS.

Mr. BV THANVI, for the appellant / petitioner

Date of Order : 19.5.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

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Heard learned counsel for the petitioner.

The case was listed on 12.4.2006, and nobody appeared for the petitioner, and therefore, the case was passed over for the day though it could be dismissed in default on that day itself. Thereafter on passed over date being 15.4.2006 nobody again appeared, and therefore, the writ was dismissed. Even in the restoration application it is clearly admitted that on 13.4.2006 the counsel who had been instructed to attend on 12.4.2006 had informed that on account of absence the case has been passed over, and therefore, it was all the more necessary for the learned counsel to see the cause list of 15.4.2006 carefully. If the counsel did not notice in the cause list, it hardly constitutes any sufficient cause for absence. The publication of case in the cause list is sufficient notice. Thus, no sufficient cause is made out for absence. The restoration application is, therefore, dismissed.

( N P GUPTA ),J.

/Sushil/